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AB Electrolux

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AB ELECTROLUX,

Plaintiff,

- against -

BERMIL INDUSTRIES CORPORATION, AUTARKIC  
HOLDINGS, INC., and NEAL MILCH,

Defendants.  
-----X

ECF CASE

07 Civ. 199 (LAK)

**DECLARATION OF JAMES W. DABNEY**

1. My name is James W. Dabney. I am a member of the Bar of this Court and of the firm of Fried, Frank, Harris, Shriver & Jacobson LLP, counsel for plaintiff AB Electrolux ("Electrolux") in this action. I make this declaration in support of Electrolux's application for an Order to Show Cause and for expedited discovery. I have personal knowledge of the matters stated in this declaration.

2. Annexed hereto as Exhibit 1 is a true copy of U.S. Reg. No. 727,703 issued February 20, 1962, for the trademark WASCOMAT, together with a Trademark Assignment Abstract of Title issued January 17, 2007.

3. Annexed hereto as Exhibit 2 is a true copy of the agreement amendment dated June 6, 1979, which is quoted in paragraph 10 of the Complaint in this action filed January 10, 2007.

4. Annexed hereto as Exhibit 3 is a true copy of the communication dated December 20, 2006, which is quoted in paragraph 11 of the Complaint in this action.

5. Annexed hereto as Exhibit 4 is a true copy of a letter dated January 10, 2006, from the undersigned to defendant Neal Milch.

6. Annexed hereto as Exhibit 5 are true copies of an e-mail that I received from defendant Neal Milch on January 15, 2007, and my reply to same.

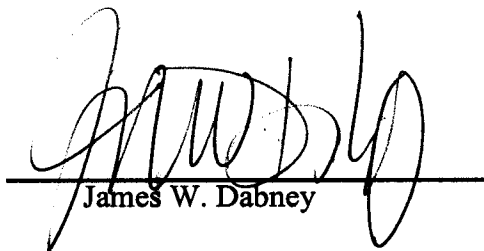
7. Annexed hereto as Exhibit 6 is a letter dated January 16, 2007 from the undersigned to defendant Neal Milch.

8. As indicated in Exhibit 6 hereto, I have notified defendants by letter dated January 16, 2007, that Electrolux intended to file the within application for an Order to Show Cause and expedited discovery in the Orders and Appeals Clerk's Office of the United States District Court for the Southern District of New York, 500 Pearl Street, New York on Wednesday, January 17, 2007 at 12:00 noon.

9. No prior request for the relief sought herein has been made in this or any other court.

I, JAMES W. DABNEY, hereby declare under penalty of perjury under the laws of the United States and the foregoing is true and correct.

Dated: January 17, 2007



James W. Dabney